

## 1. Policy Statement

NHSBT is a learning organisation and aims to provide a psychologically safe environment for all colleagues. Concerns should be raised, listened to and taken seriously.

This policy enables and supports you to raise these concerns and applies to all employees; volunteers, agency workers, and third parties.

This policy has been reviewed as part of the recommendations of the review by Sir Robert Francis into Whistle blowing in the NHS, aimed at improving the experience of Whistle blowing in the NHS.

### What concerns can I raise?

You should raise any concern, whether it relates to a risk to patients, to donors, to colleagues or to the organisation.

### Feeling Safe and Confident to raise your concern

If in doubt, raise your concern and do not wait for proof. If you raise a genuine concern, you will not be at risk of losing your job or suffering any detriment (such as reprisal or victimisation). It does not matter if you turn out to be mistaken. We will not tolerate the harassment or victimisation of anyone raising a genuine issue. However, we recognise that you may want to raise it in confidence. If you ask us to protect your identity by keeping your confidence, we will not disclose it without your consent, unless required by law.

## 2. The Process

### How to Raise your Concern

In the first instance you should raise your concern with your Manager, or your Manager's Manager. If this route is challenging or inappropriate there are a range of other options:

- [Freedom To Speak Up Guardian](#)
- [Trade Unions](#) (local representative or branch or your Union directly)
- [HR Direct](#)
- [Health, Safety and Wellbeing](#)
- Quality ([QA Direct](#))

Any of the above would be the first point of contact where you have any particular concerns about colleagues, including management, such as harassment, bullying, perceived discrimination etc, including a particularly serious matter such as:

- Poor treatment of a group of NHSBT colleagues for instances of e.g. bullying, harassment or victimisation.

If you are a member of a professional body e.g. Doctor, Biomedical Scientist, Nurse etc. you may have a professional duty to report a concern in line with your professional Code of Conduct.

If your issue concerns Safeguarding, see the Safeguarding pages on People First.

If your concern is about **your** employment that affects only **you**, refer to the Grievance Policy and/or the Dignity at Work Policy. If you are not sure about which policy can help you with your particular situation or you need advice on how to proceed, contact HR Direct.

**For particularly serious matters** such as:

- Unsafe patient/donor care
- Unsafe working conditions
- Lack of or poor response to a reported donor/patient safety incident
- Suspicions of fraud

You can raise your concern in confidence to our Whistleblowing emails addresses which will be overseen by a Non-Executive and Executive Director:

[Whistle@nhsbt.nhs.uk](mailto:Whistle@nhsbt.nhs.uk)

[Whistleblowing.toaNED@nhsbt.nhs.uk](mailto:Whistleblowing.toaNED@nhsbt.nhs.uk)

Alternatively, you can contact the Whistle-blowing service on 0844 892 4413.

### **If you still have concerns**

While we hope this policy gives you the reassurance you need to raise such matters internally, we recognise that there may be circumstances where you can properly report matters to independent outside bodies, such as:

- Your [Trade Union](#) or Professional Association
- The independent charity Protect – [www.protect-advice.org.uk](http://www.protect-advice.org.uk)
- Medicines and Healthcare Products Regulatory Agency (MHRA)  
[www.gov.uk/government/organisations/medicines-and-healthcare-products-regulatory-agency](http://www.gov.uk/government/organisations/medicines-and-healthcare-products-regulatory-agency)
- Human Tissue Authority (HTA) [www.hta.gov.uk](http://www.hta.gov.uk)
- The Department of Health helpline 0800 0724 725 provides:
  - ✓ Free confidential advice to NHS/social care employees that witness wrong doing and are unsure whether or how to raise their concern
  - ✓ Advice and support to managers or those responsible for policy development and best practice Advice on how to respond to whistle blowing concerns that have been raised.
- NHSBT Local Counter Fraud Specialist – 07471 14 8010
- NHS Counter Fraud Authority - 0800 028 40 60

Further information is available at: <https://www.speakup.direct/>

### **What we will do**

Once you have told us your concern, we will initially assess what action should be taken. This will be recorded and managed through the HR case management system. This may involve an informal review or a formal investigation conducted by an independent person. We will tell you who is handling the matter and how you can contact them. If requested, we will write to you summarising your concern and setting out how we propose to handle it, with a timeframe for feedback. Let us know if we have misunderstood the concern in any way, or there is any information missing.

When you raise the concern, it would help us to know how you think the matter might best be resolved. If you do have any personal interest in the matter, we ask that you tell us at the start. If your concern falls more properly within the Grievance Policy or Dignity at Work Policy, we will tell you.

We will provide you with regular updates on progress of your complaint. If requested, we will confirm our response to you in writing. However, we may not be able to tell you any precise action taken where this would infringe our duty of confidence to someone else. If the situation arises where we are not able to resolve the concern without revealing your identity (for instance, because your evidence is needed in court), we will discuss with you whether and how we can proceed.

### **If a matter is raised about you**

If somebody raises a concern that may involve you, you will be asked to participate openly and honestly in any initial fact-finding (informal) or formal investigation. If the person raising the concern does not wish their identity to be revealed, you must respect their decision. Should they be required to reveal their identity for example for legal reasons, full discussions will take place with that individual and with you to ensure confidentiality is maintained. If a complaint is made against you, we will ensure that you are treated with dignity and respect and ensure that you receive the necessary support.

### **Confidentiality**

All conversations, either informal or formal meetings, witness statements, investigations etc, must be kept confidential by all parties involved. We appreciate that this can sometimes be difficult when working in a small team or close environment. However, so that the issue raised can be brought to a swift conclusion and everyone feels able to move on, confidentiality must be maintained.

### **Raising a Matter Anonymously**

To ensure we can provide you with the appropriate assurances and able to provide feedback, you are encouraged to put your name to your concern.

If you do not tell us who you are, it will be much more difficult for us to investigate the matter or to protect your position or to give you feedback. It may also be more difficult for us to provide the assurances we offer in the same way should you report a concern anonymously.

However, we have a duty to ensure that all complaints are taken seriously, and therefore an initial factfinding exercise will take place to establish if any further investigation is warranted.

### **Learning from your Concern**

The focus of any investigation will be on improving the service we provide to donors and patients. Where an investigation takes place, a report with recommendations will be produced. Where it identifies improvements that can be made, these will be owned by the appropriate Director and will be tracked to ensure necessary changes are made and are working effectively. They will provide regular updates to the Board as to how any recommendations are being implemented. Lessons will be shared with teams across the organisation, or more widely if appropriate.

The Board and Governance Assurance Committee (GAC) will be given high level information about all concerns raised by our employees through this policy and what we are doing to address any problems. An annual report containing information on Whistle-blowing cases including for example investigation approach, outcome and recommendations will be produced for the board and GAC.

### **Malicious Complaints**

If a complaint is found to be malicious or in collusion with others, it is possible that an individual or individuals making such claims will be investigated under the Disciplinary Policy.

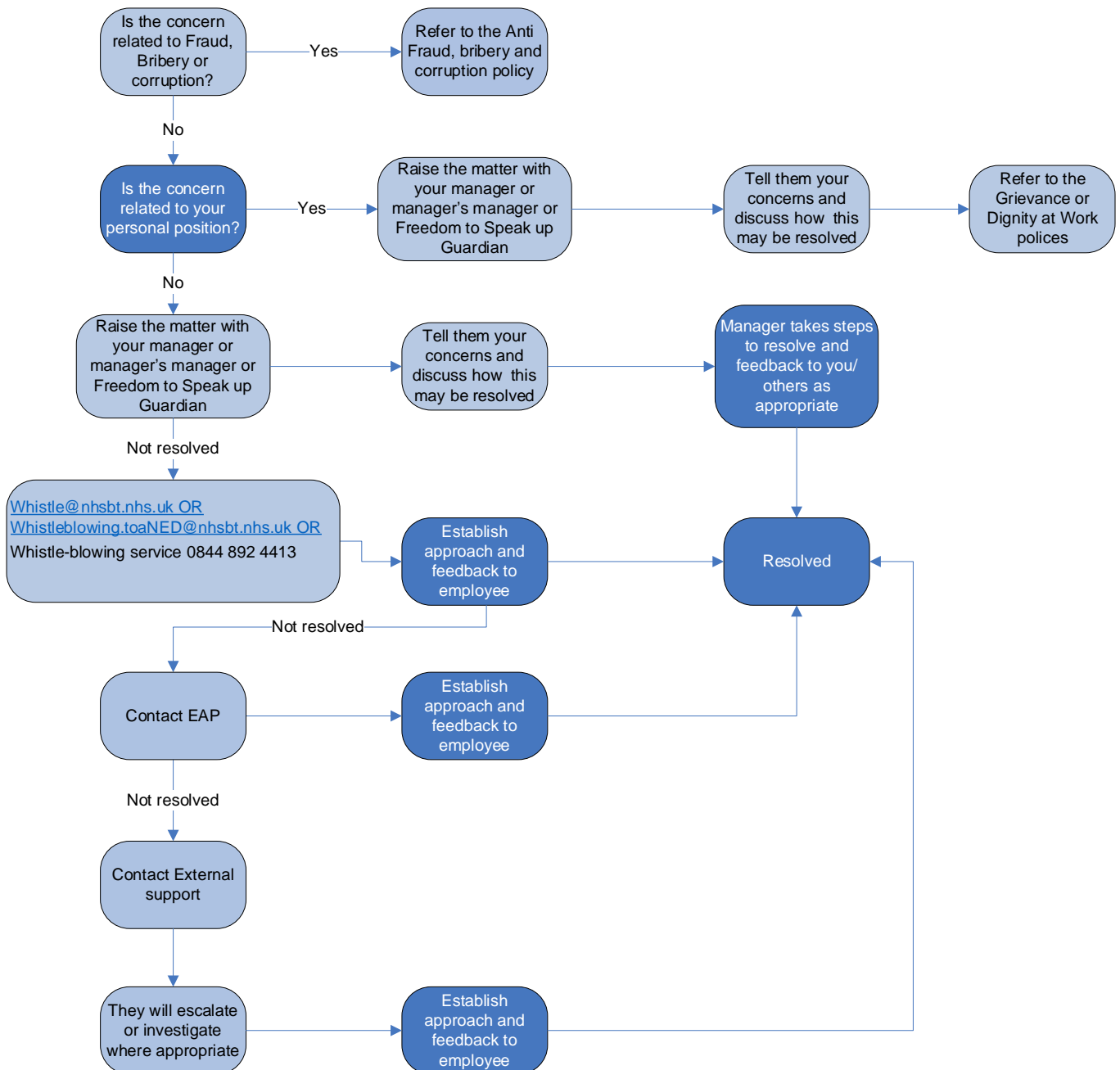
### **Employee Assistance**

The Employee Assistance Programme is a telephone-based resource, offering you confidential information available 24 hours a day, 365 days a year. This service provides specialist information and counselling services including finance, emotional issues, and law, education, health, work and family matters. Although the telephone service is accessible by you and members of your family, face to face service are

only available to you as our employee. The service does not provide counselling or advice to those under 16, however, they will be signposted to an appropriate service for their needs.

Telephone: 0800 716 017 or visit the website: [www.employeeecare.com](http://www.employeeecare.com). The code to enter in both password and access code boxes is 72992.

### 3. Flowchart



## 4. Policy Approval and Review

Policy version	UCD/People/Speak Up/009v2.0
Title	Speak Up (Whistleblowing) Policy
Approved by SPC	29 <sup>th</sup> April 2021
Equality Impact Assessment completed	18 <sup>th</sup> May 2021
Counter Fraud check	18 <sup>th</sup> May 2021
This document replaces	UCD/People/Whistle/009v1.2
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Author	Daryl Hall
Filepath	G/HR/HR/Everyone/Policies
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